City Commission Meeting

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive December 8, 2010

Mayor Matti Herrera Bower Vice-Mayor Michael Góngora Commissioner Jorge Exposito Commissioner Jerry Libbin Commissioner Edward L. Tobin Commissioner Deede Weithorn Commissioner Jonah Wolfson

City Manager Jorge M. Gonzalez City Attorney Jose Smith City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R5 - Ordinances

An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 2, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Division 14, Entitled "Safety Committee," By Amending Sec. 2-176(E) To Require That One Of The Two Direct Appointments Made By The Mayor And Each City Commissioner Be Citizen Emergency Response Team (CERT) Certified; Providing For Codification, Repealer, Severability, And An Effective Date. 10:15 a.m. Second Reading Public Hearing (Page 135)

(City Clerk's Office) (First Reading on November 17, 2010)

R5 - Ordinances (Continued)

R5B Expand Public Notice Period From 15 Days To 30 Days For All Four Land Use Boards An Ordinance Amending The Land Development Regulations Of The City Code By Amending Chapter 118, "Administrative And Review Procedures," Article II, "Boards," Division 5, "Board Of Adjustment," Section 118-134, "Notification Of Hearings"; Article IV, "Conditional Use Procedure," Section 118-193. "Applications For Conditional Uses"; Article VI, "Design Review Procedures"; Section 118-254, "Decision Of Design Review Board," And Section 118-257, "Deferrals, Continuances And Withdrawals," Article X, "Historic Preservation"; Section 118-563, "Review Procedure," And Section 118-591, "Historic Designation Procedure," And Article XI. "Neighborhood Conservation Districts (NCD)"; Section 118-705, "Procedures For Adoption Of Specific NCD Overlay Districts," To Expand The Public Notice Period For All Four Land Use Boards From 15 Days To 30 Days; Providing For Repealer; Codification; Severability And An Effective Date. 10:20 a.m. Second Reading Public Hearing (Page 143)

(Planning Department) (First Reading on November 17, 2010)

Allow Low Impact Car Washing And Detailing In The C-PS2 Zoning District
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami
Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article II "District Regulations,"
Division 18 "PS Performance Standard District," Amending Section 142-693 "Permitted Uses," By
Permitting Low Impact Car Washing And Auto Detailing In The CPS-2 District, When Completely
Contained Within A Parking Garage Structure, And Not Visible From The Street Or Public Right-OfWay; Providing For Repealer, Codification, Severability And An Effective Date. 10:30 a.m. First
Reading Public Hearing (Page 155)

(Planning Department)

R5D 40th Street Religious Overlay District

An Ordinance Amending The City Code, By Amending Chapter 114 Of The City Code, "Zoning Districts And Regulations," Section 114-1, "Definitions," Defining "Religious Institution"; Amending Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Creating Division 8, "40th Street Overlay," And By Adding Sections 142-858 "Location And Purpose," 142-859 "Compliance With Regulations," Requiring Conditional Use Approval For Religious Institutions In The 40th Street Overlay District, And 142-860 "Off-Street Parking Regulations;" And Amending Article II, "District Regulations," Division 2 "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," Section 142-103 "Conditional Uses," To Add Religious Institutions As A Conditional Use For Properties In The 40th Street Overlay District; And Amending Article IV, "Supplementary District Regulations," Division 4 "Supplementary Yard Regulations," Section 142-1131(D) "Generally," To Exempt Properties In The 40th Street Overlay District From Additional 50 Feet Minimum Side Yard Requirement For Public And Semi-Public Buildings: And Amending Chapter 118 Of The City Code, "Administration And Review Procedures," Article IV, "Conditional Use Procedures," Section 118-192, "Review Guidelines," To Add Review Criteria For Religious Institutions; Providing For Codification; Repealer; Severability; And An Effective Date. 10:35 a.m. Second Reading Public Hearing (Page 163)

(Planning Department) (First Reading on October 27, 2010)

R5 - Ordinances (Continued)

R5E Bed And Breakfast Inns

An Ordinance Amending The Code Of The City Of Miami Beach Code, By Amending Chapter 142, Zoning Districts And Regulations, Article V, Specialized Use Regulations, Division 7, Bed And Breakfast Inns, Section 142-1401, Conditions For Bed And Breakfast Inns, By Modifying The Conditions For Bed And Breakfast Inns To Widen The Eligibility For Alterations; Providing For Repealer; Codification; Severability; And An Effective Date. 10:40 a.m. Second Reading Public Hearing (Page 175)

(Planning Department) (First Reading on October 27, 2010)

An Ordinance Amending Chapter 70 Of The Miami Beach City Code Entitled "Miscellaneous Offenses"; By Amending Article III, Entitled "Graffiti"; By Amending Division I, Entitled "Generally"; By Amending Section 70-126, Entitled "Responsibility Of Property Owner(s) To Remove Graffiti; Graffiti Removal And Notice; Enforcement" By Amending The Responsibilities Of Property Owners With Regard To The Abatement Of Graffiti And Amending Enforcement Provisions; Providing For Repealer; Severability; Codification; And An Effective Date. 10:50 a.m. Second Reading Public Hearing (Page 193)

(Code Compliance) (Continued from June 9, 2010)

R5G Roofing Materials

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations", Article IV, "Supplementary District Regulations", Section 142-875 "Roof Replacements" To Modify And Expand The Requirements For Roofing Materials In All Districts; Providing For Repealer, Codification, Severability And An Effective Date. <u>First Reading</u> (Page 201)

(Planning Department)

R5H Lincoln Road Sign District

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 138, Entitled "Signs", By Amending Article V, Entitled "Sign Regulations By District", By Amending Section 138-173 To Modify The Requirements For The Lincoln Road Signage District; Providing For Inclusion In The City Code; Providing For Repealer, Severability And An Effective Date. **First Reading** (Page 209)

(Planning Department)

An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 106, "Traffic And Vehicles," Article II, "Metered Parking," Division 1, "Generally" Section 106-55 (h)(2), "Permanent Parking Space Removal" To Amend The Criteria And Procedure For Permanent Parking Space Or Loading Zone Removal, Providing For Codification, Repealer, Severability And An Effective Date. First Reading (Page 217)

(Parking Department)

R7 - Resolutions

R7A A Resolution Approving A Contract Award, Pursuant To Invitation To Bid No. 2-09/10, For The Construction Of The Right-Of-Way Infrastructure Improvement Program – Neighborhood No. 8B. Bayshore, Lower North Bay Road Project; Authorizing The Mayor And City Clerk To Execute An Agreement With Trans Florida Development Corporation, In The Amount Of \$4,055,222.92, For The Construction Of The Project, Plus Approve A Project Contingency In The Amount Of \$405,522.29, For A Grand Total Not To Exceed \$4,460,745.21; Including \$1,399,596.62 From Funds Previously Appropriated In The Capital Budget; Appropriating \$3,061,148.59 From Fund 429 Stormwater Projects Line Of Credit, With Such Funds To Be Repaid From Proposed Future Storm Water Bonds; And Further Authorizing The Administration To Engage In Value Engineering To Further Reduce The (Page 225) Cost And Time For Completion Of Said Project.

(Capital Improvement Projects)

R7B A Resolution Approving The Selection Of A Public Art Commission For South Pointe Park, Entitled "Lighthouse" (Working Title), As Recommended By The Art In Public Places Committee; The Neighborhoods/Community Affairs Committee; And The Design Review Board; Further Approving And Authorizing The Mayor And City Clerk To Execute A Contract With The Artist, Tobias Rehberger; And Appropriating Funds, In An Amount Not To Exceed \$500,000, For Design, Creation, And Installation Of Aforestated Work Of Art; And Appropriating Funds From Fund No. 147 Art In Public Places. (Page 245)

(Tourism & Cultural Development)

R9 - New Business and Commission Requests

R9A Board And Committee Appointments. (Page 257) (City Clerk's Office)

R9A1 Board And Committee Appointments - City Commission Appointments. (Page 263) (City Clerk's Office)

R9B1 Dr. Stanley Sutnick Citizen's Forum. (12:30 p.m.) (Page 269)

R9B2 Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

Discussion Regarding Resolution No. 2010-27314, In Which The City Commission Voted Against R9C Supporting The Miami Dolphins' Initiative To Get Public Funding For Their Stadium. (Page 271) (Requested by Commissioner Jonah Wolfson)

(Deferred from November 17, 2010)

R9D A Discussion Of A Proposed Land Exchange And Development Agreement Among Miami-Dade County, The City Of Miami Beach And South Beach Heights II, Involving The Properties At 615 Collins Avenue (P.E.T. Center), 710-720 Alton Road (Miami Beach Community Health Center), And 725-745 Alton Road (Vacant Private Land). (Page 273) (Economic Development)

R9 - New Business and Commission Requests (Continued)

- R9E Discussion Regarding Crime On Venetian Island And Throughout The City. (Page 281)
 (Requested by Commissioner Edward L. Tobin)
 (Additional Information To Be Submitted In The Supplemental)
- R9F Discussion Regarding Extension Of Bonus Incentive Timeline For The New World Symphony Soundscape Park. (Page 283) (Requested by Commissioner Edward L. Tobin)
- R9G Discussion Regarding The Noise Ordinance And Allowable Noise Levels In Interior Restaurant Spaces. (Page 285)

 (Requested by Commissioner Edward L. Tobin)

Reports and Informational Items

Reports and Informational Items (see LTC #320-2010)

End of Regular Agenda